

DRAFT
Proposed Linkage Text for
San Joaquin River Agreement
1/27/99

The following text could be inserted in Section 7.0, "Conditions" or Section 13, "Termination".

7.2 This agreement is conditioned on demonstrable progress on certain elements of the CALFED draft preferred alternative which would improve conditions in the south Delta region or evaluate alternatives for meeting the Spring Pulse Flow targets. These elements include items 9 and 10 of the South Delta Improvements section, Stage 1 Actions, p. 109-110, CALFED Revised Phase II Report, (December 18, 1998): These items are repeated below for convenience:

9. Implement additional physical features (beyond the fish barrier at the Head of Old River) and associated operational rules required to address problems related to SWP and CVP export operations including south Delta water levels, channel scour, fisheries, and water quality in the south Delta or some other method to address these concerns.
10. Evaluate benefits and impacts of recirculation of a portion of Delta Mendota Canal flows through the Newman Wasteway to the San Joaquin River for water quality and ecosystem enhancements.

Demonstrable progress shall consist of meeting the specific milestones as shown in Attachment 1.

- 7.3 It is the intent of the parties to this agreement to avoid or mitigate for any significant impacts of implementing this agreement on water rights holders and water users not participating in this agreement. This is not to be construed as limiting or abrogating in any way the existing water rights of the parties to this agreement. Hydrologic modeling studies conducted to date suggest that impacts on third parties will be minimal. However, the parties commit to conducting an open and fair process to fully evaluate all such concerns and take appropriate action to address them.